

## Boardman, Michael

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**From:** Bill Cash <bcash@levinlaw.com>  
**Sent:** Tuesday, August 13, 2024 12:46 PM  
**To:** Boardman, Michael  
**Cc:** Totino, Edward; Sims, Nancy; Jason Ibey; Brad Silverman (BSilverman@fbfglaw.com)  
**Subject:** [EXTERNAL] RE: Gromov v. Belkin

How about this. Make the production today. Give me the night to look at it and get you a list of what appears to be missing. And we talk tomorrow. I have the whole day open.

I intend to do the depositions at Panisch Shea & Boyle. We have done that before, and it gives me the ability to print things I might need during the depositions. I can arrange you a private area to have for the day.

### Bill Cash III

*Of Counsel*

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**From:** Boardman, Michael <Michael.Boardman@bakermckenzie.com>  
**Sent:** Tuesday, August 13, 2024 1:14 PM  
**To:** Bill Cash <bcash@levinlaw.com>  
**Cc:** Totino, Edward <Edward.Totino@bakermckenzie.com>; Sims, Nancy <Nancy.Sims@bakermckenzie.com>; Jason Ibey <jason@kazlg.com>; Brad Silverman (BSilverman@fbfglaw.com) <BSilverman@fbfglaw.com>  
**Subject:** RE: Gromov v. Belkin

Bill:

I am confirming with the witnesses but that works for us. Please confirm that the depositions will be in our Los Angeles office. We will make the production today and I can meet and confer with you about other document issues this afternoon. Would 2pm PT work?

Thanks,  
Michael

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**From:** Bill Cash <[bcash@levinlaw.com](mailto:bcash@levinlaw.com)>  
**Sent:** Tuesday, August 13, 2024 8:49 AM  
**To:** Boardman, Michael <[Michael.Boardman@bakermckenzie.com](mailto:Michael.Boardman@bakermckenzie.com)>  
**Cc:** Totino, Edward <[Edward.Totino@bakermckenzie.com](mailto:Edward.Totino@bakermckenzie.com)>; Sims, Nancy <[Nancy.Sims@bakermckenzie.com](mailto:Nancy.Sims@bakermckenzie.com)>; Jason Ibey <[jason@kazlg.com](mailto:jason@kazlg.com)>; Brad Silverman ([BSilverman@fbfglaw.com](mailto:BSilverman@fbfglaw.com)) <[BSilverman@fbfglaw.com](mailto:BSilverman@fbfglaw.com)>  
**Subject:** [EXTERNAL] RE: Gromov v. Belkin

Mr. Boardman,

We talked about it here.

Well we're not thrilled, but we also don't want to have to take these depositions twice. We will move Thursday's deposition on these conditions:

1. Make your new production today.
2. Respond to my Aug. 6 request to meet and confer on other holes in your production. I sent a follow up yesterday—still no response. It's been a week. Meanwhile, testing data is missing, among other things such as labels and web sites. I want to ensure we actually have a full production to go forward on. We know that we don't.
3. You agreed previously (in the stipulation) that if the (b)(6) turns up new avenues to explore—documents, witnesses—that we would confer on further fact discovery to be had. This is to remind you that if we put this deposition off, we may be back in that place and may need to be conferring and extending deadlines yet again.
4. Get the deposition stipulation signed. Jason sent you our signatures yesterday.
5. Set it so that Mr. Von Boode's and Ms. Tecson's depositions are adjacent (Aug. 29 or 30). Would prefer hers first.

Does this work?

**Bill Cash III**

*Of Counsel*

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**From:** Boardman, Michael <[Michael.Boardman@bakermckenzie.com](mailto:Michael.Boardman@bakermckenzie.com)>

**Sent:** Monday, August 12, 2024 9:23 PM

To: Bill Cash <[bcash@levinlaw.com](mailto:bcash@levinlaw.com)>

Cc: Totino, Edward <[Edward.Totino@bakermckenzie.com](mailto:Edward.Totino@bakermckenzie.com)>; Sims, Nancy <[Nancy.Sims@bakermckenzie.com](mailto:Nancy.Sims@bakermckenzie.com)>

Subject: Gromov v. Belkin

**CAUTION:** This email  
message is **EXTERNAL**.

Bill:

We discovered today that approximately 100 documents related to specifications and testing of certain products were inadvertently omitted from our production due to a file-sharing site not notifying us that the documents were available to download prior to our production being prepared. While we do not believe these documents would change the scope of what you would ask at Ms. Tecson's deposition, we understand that your deposition notice includes a topic on design specifications, so we wanted to let you know that we will be producing the newly-identified documents tomorrow. In light of that production, please let us know whether you want to go forward with the deposition as scheduled on Thursday or whether you would prefer to postpone the deposition until a date later in August. Ms. Tecson will not be made available twice, but she is still available for a deposition on August 29 or 30 (which, again, can coordinate with the deposition of Mr. von Boode).

Thank you.

**Michael Boardman**

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